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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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Ref: 8OC

FEB 15 2006

Honorable Conrad Burns
United States Senate
Attention: Denise Smith
1845 Highway 93 South, Suite 210
Kalispell, MT 59901

Dear Senator Burns:

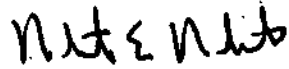
John Wardell from our Montana Office in Helena forwarded to me your December 17, 2005 request regarding the situation with Les Skramstad's carpet in Libby. EPA appreciates your interest in the Libby cleanup.

EPA has developed a cleanup approach for the Libby Asbestos Site which ensures protective, cost-effective and fair cleanup of individual residences in Libby. EPA has determined that cleaning of the house, including a significant HEPA vacuuming of the carpets, results in a clean interior environment that is protective of public health. Any further expenditure, including removal and replacement of carpets, would raise taxpayer expense with no commensurate increase in protection. Therefore, carpet removal and replacement are not part of EPA's current cleanup approach, which is outlined in the Libby Asbestos Site Action Level and Clearance Criteria Technical Memorandum published by EPA in 2003.

EPA understands that residential cleanup can be an invasive and personal process. In order to successfully complete a cleanup as large in scope as that in Libby, EPA needs to have a clear and binding pre-cleanup process for assessing homeowner needs and agreeing on the methods by which these needs will be met. At times, if a homeowner has a specific request that can be reasonably accommodated at little or no further taxpayer expense, EPA will accommodate that request. During discussions with the Skramstads concerning cleanup of their home, they requested the removal of the carpet and agreed that they would be responsible for carpet replacement. EPA agreed and reflected this in the work plan for cleanup of their home, called the Removal and Restoration Agreement. Norita Skramstad signed this form. At the completion of the cleanup, Norita Skramstad signed the Removal and Restoration Completion Form which also reflects the agreement on the carpet removal. Highlighted copies of the signed forms are enclosed for your convenience. While we regret that the Skramstads now seek that EPA reimburse them for replacing their carpet, EPA stands by its agreement.

Please feel free to contact me or Sandy Fells, Congressional Liaison, at 303-312-6604, if you have any other questions or concerns.

Sincerely,



Robert E. Roberts
Regional Administrator

Enclosures

